

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JAMES CURTIS BEACHUM II,

Plaintiffs,

v.

Case No: 13-12736

Hon. Victoria A. Roberts

STATE OF MICHIGAN et al,

Defendants.

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**ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION (DOC.5)**

This matter is before the Court on Plaintiff's Motion for Reconsideration of this Court's Opinion and Order Granting IFP and Summarily Dismissing Complaint (4).

Local Rule 7.1(h)(3) provides the Court's standard of review:

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the court and the parties and other persons entitled to be heard on the motion have been misled but also show that correcting the defect will result in a different disposition of the case.

E.D. Mich. LR 7.1(h)(3).

Palpable defects are those which are "obvious, clear, unmistakable, manifest or plain." *Mich. Dep't of Treasury v. Michalec*, 181 F. Supp. 2d 731, 734 (E.D. Mich. 2002).

"It is an exception to the norm for the Court to grant a motion for reconsideration."

*Maiberger v. City of Livonia*, 724 F. Supp. 2d 759, 780 (E.D. Mich. 2010). "[A]bsent a

significant error that changes the outcome of a ruling on a motion, the Court will not provide a party with an opportunity to relitigate issues already decided." *Id.*

Plaintiff's arguments do not demonstrate palpable defects which if corrected would result in a different disposition of the Court's order of summary dismissal.

Plaintiff's motion for reconsideration is **DENIED**.

**IT IS ORDERED.**

s/Victoria A. Roberts  
Honorable Victoria A. Roberts  
United States District Judge

Dated: July 9, 2013

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on July 9, 2013.

s/Carolyn Ciesla for Carol Pinegar  
Deputy Clerk